

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUAN RODRIGUEZ,

Defendant.

12-CR-790-03 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a *pro se* letter from defendant Juan Rodriguez seeking leave to file a petition pursuant to 28 U.S.C. § 2255. Dkt. 173. The Court's authorization is not necessary for this purpose. On March 4, 2023, on an application from Mr. Rodriguez's counsel, the Court vacated Mr. Rodriguez's earlier § 2255 petition, without prejudice, based on counsel's explanation that that petition had been based on a misunderstanding by Mr. Rodriguez. Dkt. 157. Although there may be other barriers to § 2255 relief depending on the nature of the claim(s) Mr. Rodriguez envisions bringing, the Court's dismissal of the earlier petition does not itself present such a barrier.

Mr. Rodriguez also seeks a copy of a § 2255 application form. The Court directs Ken Womble, Esq., who wrote the Court in March 2023 on behalf of Mr. Rodriguez, to mail a copy of that form to Mr. Rodriguez forthwith, and to promptly file a letter on the docket of this case confirming that he has done so.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: July 18, 2023
New York, New York